

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

IN RE APPLICATION OF: Jun-ichi NISHIZAWA

GAU: 3739

SERIAL NO: 10/536,878

EXAMINER: GIBSON, ROY D.

FILED: May 27, 2005

FOR: ELECTROMAGNETIC WAVE APPLICATOR

**NOTICE OF APPEAL**

COMMISSIONER FOR PATENTS  
ALEXANDRIA, VIRGINIA 22313

SIR:

Applicants hereby appeal to the Board of Appeals from the decision dated January 7, 2009

The items checked below are appropriate:

- ☒ A Petition for Extension of Time Under 37 C.F.R. §1.136 was filed for 2 months.
- ☒ A timely response to the final rejection has been filed, as provided in 841 O.G. 1411.
- ☒ A Petition for Extension of Time for filing the Notice of Appeal is attached.
- ☐ A Pre-Appeal Brief Request for Review is attached.

Fee: \$540.00

- ☒ Applicant claims small entity status. See 37 CFR 1.27.
- ☐ Credit card payment is being made online (if electronically filed), or is attached hereto (if paper filed), covering any required fees.
- ☐ Charge to Deposit Account No. 15-0030.
- ☒ Please charge any additional fees or credit any overpayment of fees required for filing the Notice of Appeal to Deposit Account No. 15-0030.
- ☒ If this notice is not considered timely filed by the U.S. Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. §1.136, and any additional fees required under 37 C.F.R. §1.136 for any necessary extension of time may be charged to Deposit Account No. 15-0030.

Respectfully Submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.

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